

that are from the client device and that request retrieval of embedded data. Agreement with respect to the claims was not reached.

Rejection Under 35 U.S.C. 103

Claims 1, 2, 6, 9-16, 18 and 19

Claims 1, 2, 6, 9-16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morlitz in view of Pepper and further in view of Hall. The rejection is traversed.

The Final Office Action cites specific portions of Hall (namely, FIGs. 1 and 3 and Col. 6, Line 61 – Col. 7, Line 33), asserting that the cited portions of Hall disclose the feature of “wherein the resource index file includes a link listing comprising a plurality of links to the embedded data, wherein the link listing is arranged in an order of pre-determined times to obtain the embedded data.”

Applicants have herein amended independent claim 1 to recite “wherein the resource index file includes a link listing comprising a plurality of links to the embedded data, wherein the links to the embedded data specify locations of respective portions of the embedded data, wherein the link listing is arranged in an order of pre-determined lengths of time to obtain the respective portions of the embedded data from the locations specified by the links to the embedded data.”

Applicants submit that the cited portions of Hall fail to teach or suggest a link listing including a plurality of links to the embedded data where the links to the embedded data specify locations of respective portions of the embedded data and where the link listing is arranged in an order of pre-determined lengths of time to obtain the respective portions of the embedded data from the locations specified by the links to the embedded data.

Rather, the cited portions of Hall merely disclose comparison of a digital signature of a received embedded digital resource against the stored digital signatures of digital resources accessible to the receiving system for determining whether or not the received embedded digital resource is already stored. The cited portions of Hall disclose that digital signatures may be stored as an array of values, an index, a dynamic list, or other information and that “[t]he digital signatures may be sorted or organized for faster

comparisons.” (See Hall, Col. 6, Lines 65 – 66). Additionally, the portion of Hall quoted in the Response to Arguments section of the Final Office Action states that “...if the intermediate system 132 determines that there are numerous instances of a resource through a comparison of digital signatures or otherwise, a location identifier (e.g., a pointer, address, reference, or link) may be stored for one or more of the instances of the resource rather than maintaining each copy of the resource.” (See Final Office Action, Pg. 26, quoting Hall, Col. 7, Lines 13 – 18, Emphasis added). In other words, as noted above, the cited portion of Hall merely discloses a comparison of a digital signature of a received embedded digital resource against the stored digital signatures of digital resources accessible to the receiving system for determining whether or not the received embedded digital resource is already stored.

Thus, the cited portions of Hall fail to teach or suggest the feature of “wherein the resource index file includes a link listing comprising a plurality of links to the embedded data, wherein the links to the embedded data specify locations of respective portions of the embedded data, wherein the link listing is arranged in an order of pre-determined lengths of time to obtain the respective portions of the embedded data from the locations specified by the links to the embedded data,” as recited in Applicants’ claim 1.

As such, independent claim 1 is allowable over Morlitz, Pepper and Hall under 35 U.S.C. 103(a). Similarly, independent claims 12 and 16 recite relevant limitations similar to those recited in independent claim 1. As such, for at least the same reasons discussed above, independent claims 12 and 16 also are allowable over Morlitz, Pepper and Hall under 35 U.S.C. 103(a). Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim also is allowable over Morlitz, Pepper and Hall under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Claims 3, 4, 17

Claims 3, 4, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morlitz in view of Pepper and further in view of Hall and further in view of Shanman. The rejection is traversed.

Each of these grounds of rejection applies only to dependent claims, and each is predicated on the validity of the rejection of independent claims 1 and 16 under 35 U.S.C. 103(a) over Morlitz, Pepper and Hall. Since such rejection has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Shanman supplies that which is missing from Morlitz, Pepper and Hall to render independent claims 1 and 16 obvious, these grounds of rejection cannot be maintained.

As such, Applicants' claims 3, 4 and 17 are allowable over Morlitz in view of Pepper and further in view of Hall and further in view of Shanman under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Claims 28 and 29

Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morlitz in view of Hall. The rejection is traversed.

The Office Action cites specific portions of Hall (namely, Col. 5, Line 55 – Col. 6, Line 22 and Col. 8, Line 63 – Col. 9, Line 11), asserting that the cited portions of Hall disclose the feature of “suppress, at the client device, initiation of requests for the embedded data associated with the identifiers of the embedded data.”

Applicants have herein amended claim 28 to recite “prevent, at the client device, initiation of requests from the client device to one or more sources of the embedded data requesting retrieval of the embedded data based on the identifiers of the embedded data.”

The first portion of Hall cited in the Final Office Action discloses that as messages with a famous photograph are repeatedly exchanged, subsequent recipients may be given a link to a previously stored version of the famous photograph rather than storing an additional instance of the photograph. This portion of Hall states that “[f]or example, the first five instances may be stored, while the next 1000 messages with that embedded image might be given a link to one of the five stored instances of the resource.” (See Hall, Col. 6, Lines 6 – 8, Emphasis added). This portion of Hall further indicates that “...the link to the attached or embedded resource includes the address at which the famous photo may be accessed...[t]hus, providing a user with the link comprises providing the user with an address for a previously-stored instance of the digital resource.” (See Hall, Col. 6, Lines 12 – 16, Emphasis added). This portion of

Hall merely describes the information that is provided to the user, and is devoid of any teaching or suggestion of the manner in which that information is used at the client device of the user. This portion of Hall fails to teach or suggest the feature of “prevent, at the client device, initiation of requests from the client device to one or more sources of the embedded data requesting retrieval of the embedded data based on the identifiers of the embedded data.”

The second portion of Hall cited in the Final Office Action, similar to the first portion of Hall discussed above, merely discloses that “...if the digital signature is found among the stored digital signatures (step 320), the resource associated with a received resource or message is replaced with a location identifier or pointer to the stored instance of the resource to avoid duplication while enabling future access to the received resource.” (See Hall, Col. 8, Line 63 – Col. 9, Line 1, Emphasis added). Again, this portion of Hall merely describes the information that is provided to the user, and is devoid of any teaching or suggestion of the manner in which that information is used at the client device of the user. This portion of Hall fails to teach or suggest the feature of “prevent, at the client device, initiation of requests from the client device to one or more sources of the embedded data requesting retrieval of the embedded data based on the identifiers of the embedded data.”

As such, independent claims 28 and 29 are allowable over Morlitz and Hall under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 542-2280 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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